

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

GERALD D. FIELDS,  
Plaintiff,

v.

KELLY J. COTTRILL, *et al.*,  
Defendants.

Case No. 2:14-cv-483

Judge Peter C. Economus

Magistrate Judge Elizabeth P. Deavers

MEMORANDUM OPINION AND ORDER

On June 10, 2014, the Court ordered Plaintiff to submit, within fourteen days, the appropriate application and affidavit, as well as a certified trust account statement from the Franklin Pre-Release Center. The Court stated that “[w]ithout receipt of the requested documentation, the Court is required to assume that Plaintiff Fields is not a pauper, and it will: (1) assess Plaintiff the full amount of the filing fee; (2) dismiss this action for want of prosecution; and (3) not reinstate the case to the Court’s active docket even if the filing fee is then paid in full.” *See In re Prison Litig. Reform Act*, 105 F.3d 1131 (6th Cir. 1997).

Plaintiff failed to comply with the Court’s order, and this matter is before the Court for consideration of the Magistrate Judge’s June 25, 2014 Report and Recommendation that the Court dismiss Plaintiff’s action pursuant to Rule 41(b) and 28 U.S.C. § 1915(a)(2) for failure to prosecute. (Dkt. 6.) Plaintiff objected to the Report and Recommendation on July 3, 2014, continuing to deny that he is an inmate. (Dkt. 8.) For the reasons set forth in the Court’s June 10, 2014 order as well as the June 25, 2014 Report and Recommendation, Plaintiff’s objections are **OVERRULED**, and this case is **DISMISSED**.

**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE